

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7813**

**BILL NUMBER:** SB 415

**NOTE PREPARED:** Jan 14, 2003

**BILL AMENDED:**

**SUBJECT:** Family Law Issues.

**FIRST AUTHOR:** Sen. Waterman

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** The bill establishes a rebuttable presumption that joint legal custody is in the best interests of a child in dissolution of marriage cases. (Under current law an award of joint legal custody is discretionary with the court.) It provides that if a party seeks to rebut the presumption that joint legal custody is in the child's best interest, the court shall consider various factors to determine whether the presumption for joint legal custody is rebutted. The bill also specifies that an award of joint legal custody does not require an equal division of the physical custody of the child. It makes conforming changes.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** To the extent that, under the bill, joint legal custody would be presumed and that often joint physical custody arrangements are difficult for the parties to work out, the provisions of this bill may increase the number of hearings that the court conducts for the dissolution of a marriage.

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:** Courts.

**Information Sources:**

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